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BAKER BOTTS L.L.P.  
PATENT DEPARTMENT  
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AUSTIN, TX 78701-4039

In re Application of CRAEMER et al	:	
U.S. Application No.: 10/599,438	:	
PCT Application No.: PCT/EP2005/050426	:	
Int. Filing Date: 01 February 2005	:	DECISION
Priority Date Claimed: 10 March 2004	:	
Attorney Docket No.: 071308.0755	:	
For: METHOD FOR RECOGNIZING A	:	
SENSOR TYPE	:	

This is in response to applicant's "Non-fee Petition Under 37 C.F.R. § 1.181 to Revive Holding of Abandonment" filed 24 May 2007.

**BACKGROUND**

On 01 February 2005, applicant filed international application PCT/EP2005/050426, which claimed priority of an earlier Germany application filed 10 March 2004. A copy of the international application was communicated to the USPTO from the International Bureau on 22 September 2005. The thirty-month period for paying the basic national fee in the United States expired on 10 September 2006.

International application number PCT/EP2005/050426 became abandoned as to the United States on 11 September 2006 for failure to timely pay the basic national fee.

On 28 September 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 18 May 2007, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909).

On 24 May 2007, applicant filed the present petition under 37 CFR 1.181.

**DISCUSSION**

The petition states that the basic national fee was paid on 28 September 2006. However, the basic national fee was due on 10 September 2006. Thus, the Notification of Abandonment was properly mailed.

**CONCLUSION**

For the reasons above, the petition under 37 CFR 1.181 is DISMISSED without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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